

**REMARKS**

As will be seen from the discussion below, the Examiner has failed to present a *prima facie* case of obviousness in rejecting Claim 16.

MPEP § 706.02(j) states that in order to establish a *prima facie* case of obviousness, one of the three basic criteria that must be met is that “the prior art reference (or references when combined) must teach or suggest all the claim limitations.” In rejecting Claim 16, the **Office Action fails to allege that either of the cited references, individually or in combination, teach or suggest one of the claim limitations of Claim 16.**

Specifically, Claim 16 recites:

A method for constructing a database appliance, comprising:

...

**generating a set of components of a special purpose operating system by removing one or more features of a general purpose operating system** that are not required to provide a set of services required by the database server;

....

The Office Action fails to even assert that one or both of the references teach or suggest the above-bolded limitation of Claim 16. The Office Action mailed November 3, 2006 admits that *Nilsen* does not teach the recited special purpose operating system (OS) and a general purpose OS. The Office Action alleges that *Schlepfer* discloses a special purpose OS and a general purpose OS. However, the **Office Action does not allege that *Nilsen* or *Schlepfer* (either individually or in combination) teach “generating a set of components of a special purpose operation system by removing one or more features of a general purpose operating system,”** as expressly recited by Claim 16. Therefore, it is respectfully submitted that the burden of establishing a *prima facie* case of obviousness as set forth in MPEP § 706.02(j) has not been met. Accordingly, Applicants respectfully request that the rejection of Claim 16 be reversed.

Each of Claims 17-26 and 33 depend (directly or indirectly) on Claim 16 discussed above. Thus, each of Claims 17-26 and 33 recites the limitation discussed above. For at least the above reasons, Applicants request that the rejections of each of Claims 17-26 and 33 be reversed.